

## Freedom of the Press

Under a transitional government that took power after the 33-year rule of President Ali Abdullah Saleh ended in February 2012, there have been modest improvements in conditions for the media. The gains in 2013 coincided with the country's National Dialogue Conference, a 10-month process of negotiations between major political and civil society groupings that aimed to resolve outstanding disputes and establish a timeline for democratic elections. At the behest of the technical committee on preparation for the conference, interim president Abdrabu Mansour Hadi implemented several measures that altered the repressive media environment. However, journalists and media workers still face attacks, intimidation, and harassment by security forces, tribal groups, and Saleh loyalists. Laws that circumscribe press freedoms and special courts designed to prosecute journalists remain in place.

The constitution allows for freedom of expression "within the limits of the law," and the relevant laws are restrictive. The Press and Publications Law of 1990 requires journalists to uphold "national unity" and adhere to the "goals of the Yemeni revolution." Article 103 bans criticism of the head of state and defamation of "the image of Yemeni, Arab, or Islamic heritage." Article 104 prescribes fines and up to one year in prison for violations. Calls to repeal problematic portions of the 1990 law have so far been ignored by the new government. According to the local advocacy group Freedom Foundation, 56 libel cases were being adjudicated, under investigation, or awaiting trial in 2013.

In January 2013, the Culture and Media Committee unsuccessfully presented drafts for two laws to the House of Representatives. The first would have updated the existing Press and Publications Law, expanding the prohibition on insults against the president to include criticism of leaders of allied states, among other restrictions. The second was a proposed Audiovisual and Electronic Media Law that would have subjected electronic media and online news sources to the same constraints faced by print media under the Press and Publications Law. It would also have imposed prohibitive licensing fees on private broadcasters and internet media outlets. The parliament shelved both laws and sent them back to the committee for revision.

In direct contravention of the Yemeni constitution, two specialized courts are regularly employed to prosecute journalists. The Specialized Criminal Court, established in 1999 to handle national security cases, targets political dissidents and journalists, while the Specialized Press and Publications Court (SPPC), established in 2009, tries cases related to the media. Judges at the SPPC may choose from a variety of laws, including the penal code, to punish journalists, and the prosecutor can refer cases to the court at his discretion.

*Al-Ayyam*, a daily with the largest circulation in the country, has experienced legal woes since 2009, when the government raided the paper's Aden offices and shut it down. It had often been critical of the president and reported extensively on the secessionist movement in the south of the country. *Al-Ayyam* editor Hisham Bashraheel, along with his sons Hani and Mohammed and several of his colleagues, were charged with offenses including "inciting violence," "instigating separatism," and "forming an armed gang." Charges were dropped against the editor after his death from an illness in June 2012, but the trial against the other defendants continued despite harsh criticism from media watchdog organizations, which derided the proceedings as farcical. Finally, in January 2013, President Hadi ordered the case dismissed and the paper compensated with \$3 million in damages in preparation for the National Dialogue Conference.

In 2011, the Specialized Criminal Court convicted journalist Abdulelah Haider Shaye of terrorism and sentenced him to five years in prison. His case underscored the dangers Yemeni journalists face when covering sensitive topics such as corruption and terrorism. Shaye was convicted after reporting on U.S. responsibility for military strikes that killed civilians. His arrest also came after he conducted an interview with Anwar al-Awlaki, a well-known operative with Al-Qaeda in Yemen, for Qatar's Al-Jazeera television network in 2009. Although then president Saleh was reportedly prepared to pardon Shaye shortly after his conviction, the journalist remained in prison until July 2013 due to pressure from the U.S. government. In June 2013, the Yemeni daily *Al-Oula* was convicted of defaming a judge, fined 10,000 rials (\$50), and ordered to pay 100,000 rials (\$500) in damages for a 2012 report that alleged corruption in the Yemeni elections commission.

According to the Freedom Foundation, there were 17 arrests or detentions of journalists during 2013, but at year's end there were no journalists in prison.

Yemen finalized a freedom of information law in 2012, becoming just the second Arab country, after Jordan, to enact such legislation. Freedom of information advocacy groups praised the law, although the quality of implementation remains unclear.

Yemeni news outlets and journalists must obtain licenses annually from the Ministry of Information, and printing houses must maintain a registry of printed materials and submit copies to the ministry. New television stations and news websites have sprung up in the wake of the 2011 uprising that led to Saleh's resignation. Most offer news that is slanted to match the views of their owners, and employees feel pressure to adhere to specific editorial agendas. Self-censorship is common, and journalists avoid covering so-called "red-line" topics such as rebel movements in the north and south of the country. The government controls editorial policy on these issues at state-owned outlets, but many Yemenis have access to satellite news channels, which have covered both conflicts with greater freedom. The government permitted marginally greater latitude in reporting by state media in 2013, allowing journalists to cover some corruption issues and to criticize some government policies. This was especially true for the coverage surrounding the National Dialogue Conference, which featured live interviews from members of a wide variety of political groups.

The authorities sometimes interfere with internet access. In 2011, for example, the government blocked access to Skype, the popular online telecommunications tool, after it discovered that journalists were using the service to conduct interviews. However, the site was no longer blocked in 2013. Despite such incidents, individuals are free to create websites, and a growing number of blogs carry diverse and independent views.

For the second consecutive year, no journalists were murdered in Yemen while performing their work, but media workers continued to be harassed, beaten, and detained in 2013. The Freedom Foundation documented 282 violations against media personnel, including attacks, arrests, abductions, confiscation of newspapers, and attempted murder. April was an especially harrowing month for Yemeni journalists. A media worker discovered a bomb planted in the building that houses Yemen Shabab TV and the newspaper *Al-Masdar*. The device was disarmed by security forces. Employees of the independent daily *Aden al-Ghad* were subjected to multiple threats and attacks. Editor in chief Fathi Bin Lazrak received death threats, and a delivery truck distributing the paper was fired upon. Correspondent Maher Derhim was attacked by security forces as he covered a demonstration in the Crater district of Aden. Also in April, journalist Mansoor Noor had to have his leg amputated after being shot by unknown gunmen while traveling on an assignment for the news website *26 September*. According to the Committee to Protect Journalists, seven journalists were abducted during the year, including Judith Spiegel, a reporter working for Radio Netherlands Worldwide, and her husband Boudewijn Berendsen; the two were held for nearly six months. All seven journalists were eventually released unharmed.

The government controls the country's 4 terrestrial television stations as well as 12 radio stations, which are operated by the Yemen General Corporation for Radio and Television. Two private radio stations, the first ever in Yemen, were established in 2012, with five more launching by the end of 2013. In the absence of legislation or regulations to control broadcasting, each radio station adheres to its own standards. At least 10 private television stations broadcast into Yemen from outside the country, increasing the diversity of news coverage. By contrast, print media remain strictly regulated under the Press and Publications Law; only a handful of newspapers provide independent views. The state also controls press distribution outlets and print advertising, undermining the ability of the press to operate without economic pressure. However, the development of broadcast media is especially significant because due to low literacy rates and other factors, most Yemenis get their news from television and radio.

In 2013, about 20 percent of the population had access to the internet, though poor infrastructure makes connections unreliable. The government owns the country's two internet service providers. While news websites often operate with a small budget, the internet has given some newspapers greater reach. The English-language weekly *Yemen Post* has reported receiving more than 60,000 visits to its website per day, far exceeding its print circulation. Social-networking sites have also reportedly been gaining popularity.

## **2014 Scores**

### **Press Status**

Not Free

### **Press Freedom Score**

**(0 = best, 100 = worst)**

76

**(0 = best, 30 = worst)**

24

**(0 = best, 40 = worst)**

29

**(0 = best, 30 = worst)**

23